

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VINCE CRESPIN,

Plaintiff,

vs.

No. CIV 11-0913 JB/KBM

CITY OF ESPANOLA and JULIAN
GONZALES, individually and in his
official capacity,

Defendants.

ORDER OF DISMISSAL

THIS MATTER comes before the Court on the Court's Memorandum Opinion and Order, filed February 10, 2012 (Doc. 11)("MOO"). In its MOO, the Court ordered that Plaintiff Vince Crespin file an amended pleading which: (i) clarified how many claims he is raising; (ii) identified each claim by name; and (iii) stated under what law -- state or federal -- he is asserting each claim. See MOO at 6. The Court warned that, if Crespin did not file an amended pleading within fourteen days, the Court would dismiss his Complaint for Money Damages for Personal Injuries, filed October 12, 2011 (Doc. 1-1)("Complaint"), without prejudice. See MOO at 6. It has now been more than fourteen days since the Court filed its MOO, and Crespin has not filed an amended Complaint. Accordingly, the Court will dismiss his Complaint without prejudice.

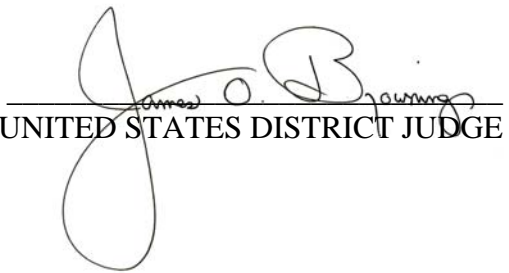
Rule 6 of the Federal Rules of Civil Procedure provides that, when a court order specifies a deadline in terms of days, the following provisions govern the computation of the period:

- (A) exclude the day of the event that triggers the period;
- (B) count every day, including intermediate Saturdays, Sundays, and legal holidays; and

- (C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

Fed. R. Civ. P. 6(a)(1). Accordingly, the Court begins counting the fourteen days on February 11, 2012, and determines that the fourteen-day deadline expired on February 24, 2012. It is now several days past that date, and Crespin has not filed an amended pleading. Accordingly, the Court will dismiss his case without prejudice.

IT IS ORDERED that the Complaint for Money Damages for Personal Injuries, filed October 12, 2011 (Doc. 1-1), is dismissed without prejudice.



UNITED STATES DISTRICT JUDGE

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